

Chapter 31

OIL AND GAS WELLS\*

Art. I.	In General, §§ 31-1—31-22
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ARTICLE I. IN GENERAL

Sec. 31-1. Title.

The title of this chapter and the name by which it shall be known is the "City of Houston Oil and Gas Well Ordinance."  
(Code 1968, § 30-1)

Sec. 31-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Gas.* "Gas," means natural gas including all of its constituent elements, which elements include (but not by way of limitation) gasoline, condensate, distillate, butanes, propanes and other lighter hydrocarbons.
- (2) *Gas well.* A "gas well" is a well producing gas, as herein defined, and which produces no oil as herein defined, or less than one barrel of oil to each 100,000 cubic feet of gas.
- (3) *Oil.* The word "oil" means any liquid hydrocarbon, regardless of gravity, capable of being produced from a drilling unit in liquid form at the well by ordinary production methods and which is not the result of the condensation of gas after it leaves the reservoir.
- (4) *Oil well.* An "oil well" is any well which produces one barrel or more of oil, as herein defined, to each 100,000 cubic feet of gas, as herein defined.

- (5) *Permittee.* The word "permittee" shall mean the person to whom is issued a permit for the drilling and operation of a well under this chapter, and his administrators, executors, heirs, successors and assigns.
- (6) *Person.* The word "person" shall include both the singular and plural and shall mean and include any person, individual, firm, partnership, association, corporation, club, society, cooperative, trust, municipal corporation, or political subdivision whatsoever.
- (7) *Regulated area.* The words "regulated area," subject to the exceptions contained in this chapter, shall include and mean all lands within the corporate limits of the city.
- (8) *Technical or industry words.* All technical or oil and gas industry words or phrases used herein and not specifically defined herein shall have the meanings customarily attributable thereto by prudent operators in the oil and gas industry.
- (9) *Well.* The word "well" shall include and mean any hole or holes, bore or bores, to any sand, formation, strata or depth, which is or are drilled, bored, sunk, dug or put down for the purpose of either exploring for or ascertaining the existence of any oil, gas, liquid hydrocarbon, or any of them, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or any of them.

(Code 1968, § 30-3)

Sec. 31-3. Drilling units and blocks generally.

In order that the purpose and intent of this chapter shall be carried out and future drilling for

\*Cross references—Exploring for or producing, refining, etc., petroleum at George Bush Intercontinental Airport/Houston (IAH) § 9-261 et seq.; buildings generally, Ch. 10; planning and development generally, Ch. 33; inspection permit for certain pipe lines, etc., in public rights-of-way, § 40-192 et seq.; pipelines, conduits, across, along, or under streets, sidewalks, etc., § 40-228 et seq.

oil and gas within the city may proceed in an orderly manner, and for convenience and clarity in identifying the location of approved or proposed drilling locations, drilling units shall be described by use of the State Plane Coordinate System (Lambert) for the South Central Zone of Texas. For this purpose, the corporate limits of the city have been divided into blocks containing 640 acres and being 5,280 feet square. All blocks or portions thereof, which are located within the corporate limits of the city, are listed and described in an exhibit marked "A," attached to Ordinance No. 59-1887; styled "Lambert Coordinates Describing 640 Acre Blocks within the City Limits of the City of Houston" of record in the city secretary's office to which reference is here made for all purposes. The boundary lines of each block shall be contiguous with all adjacent blocks, as shown on said Exhibit "A." Each block shall be identified, as shown on said Exhibit "A," by the number of blocks distant it is located along the Lambert Coordinates north and west, north and east, south and east, or south and west from the intersection of coordinate X = 3,150,000 and Y = 720,000, which intersection is about 2,500 feet northwest of the city hall of Houston. For example, S 10 W 5 will identify the block which is the tenth block south and the fifth block west of X = 3,150,000 and Y = 720,000.

A drilling unit for oil within the corporate limits of the city shall contain 40 acres and be 1,320 feet square. Each oil drilling unit shall be wholly within one of the blocks described in said Exhibit "A" and the four boundary lines of each oil drilling unit shall be contiguous to all adjacent oil drilling units. Each of the blocks, as described in said Exhibit "A," shall contain sixteen (16) oil drilling units and each oil drilling unit shall be identified by numbers, starting with the northwest corner oil drilling unit of each block and reading from left to right for four rows, as illustrated in the example appearing on a plat marked Exhibit "B," attached to Ordinance No. 59-1887, styled "Example—Illustrating the Manner in which each 640 Acre Block within the City of Houston is Divided into 40 Acre Oil Drilling Units," of record in the city secretary's office, to which reference is here made for all purposes. The boundary lines of

each oil drilling unit may be further described by Lambert Coordinates, as illustrated in the example appearing in said Exhibit "B."

A drilling unit for gas within the city shall contain 640 acres and be 5,280 feet square and the boundary lines of each such gas drilling unit shall be congruent with the boundary lines of one of the blocks described in said Exhibit "A."  
(Code 1968, § 30-4)

**Sec. 31-4. Drilling units limited to one well; exceptions; substitute wells.**

(a) Not more than one oil well shall be permitted to be drilled, completed and operated in each oil drilling unit and it shall be unlawful to drill, complete and operate more than one oil well in each oil drilling unit; provided, however, that if, on December 22, 1959, there exists on any oil drilling unit one or more producing oil wells, one additional oil well may be drilled, completed and produced on the same oil drilling unit under the terms and provisions of this chapter.

(b) Not more than one gas well shall be permitted to be drilled, completed and operated in each gas drilling unit and it shall be unlawful to drill, complete and operate more than one gas well in each gas drilling unit; provided, however, that if, on December 22, 1959, there exists on any gas drilling unit one or more producing gas wells, one additional gas well may be drilled, completed and produced on the same gas drilling unit under the terms and provisions of this chapter.

(c) A substitute oil well may be drilled, completed and operated in each oil drilling unit and a substitute gas well may be drilled, completed and operated in each gas drilling unit in the event the prior existing oil well or gas well, drilled after December 22, 1959, shall be abandoned.

(d) A substitute oil or gas well may be drilled, completed and produced on the same proration unit in the event an oil well which was producing, or capable of producing, on December 22, 1959, shall be abandoned. A substitute gas or oil well may be drilled, completed and produced on the same proration unit in the event a gas well which was producing, on December 22, 1959, shall be abandoned. No substitute well provided for in this

subsection shall be drilled to a deeper reservoir than the deepest productive reservoir of the well for which such substitute well is drilled.

(e) Except as provided above in subsection (d), an oil well cannot be substituted for a gas well and a gas well cannot be substituted for an oil well.

(f) The provisions of this section shall not prevent a well from being completed in more than one producing horizon. Multiple completions in the same well bore are expressly authorized.

(Code 1968, § 30-5)

**Sec. 31-5. Location near buildings or on public property.**

(a) No well shall be drilled and no permit shall be issued for any well to be drilled in any location within a drilling unit which location is nearer than 400 feet from any residence or building without the applicant's having first secured the written permission of the owner or owners thereof; provided, however, that this requirement shall not apply to any well drilled in any location exempted by the terms of this chapter from the well-spacing requirements of this chapter.

(b) No well shall be drilled within any of the streets or alleys, parks or other public property unless authorized by an ordinance duly passed by the city council; provided, however, that wells may be drilled on all federally-owned lands in the Addicks and Barker Reservoirs upon the written authorization of the building official pursuant to article II of this chapter, and without passage of any further ordinance by the city council.

(Code 1968, § 30-6; Ord. No. 78-2592, § 1, 12-20-78; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-6. Wells drilled prior to June 24, 1959, exempt.**

Anything contained herein to the contrary notwithstanding, none of the provisions of this chapter shall ever be construed as applying to the operation of any producing oil or gas well, located within the corporate limits of the city which was drilled and completed prior to June 24, 1959, or to the equipment and its operation (producing or otherwise), installed in connection with such well

on the leased premises; and provided, further, without limitation on the foregoing, nothing contained herein shall be interpreted to require a permit for any producing oil or gas well located within the corporate limits of the city, which was drilled and completed prior to June 24, 1959, or for the continued operation, re-working, sidetracking, plugging back or abandonment, or deepening through the deepest productive reservoir to which any such well was previously drilled.

(Code 1968, § 30-7)

**Sec. 31-7. Exemptions from well spacing provisions—Piercement type salt domes (Pierce Junction and Mykawa Fields.)**

The well spacing provisions of this chapter shall not apply to producing areas which heretofore, prior to June 24, 1959, or may be in the future defined as piercement type salt domes by the state railroad commission. Two fields, namely, Pierce Junction and Mykawa, within the city limits are presently defined as piercement type salt domes.

The forty-acre drilling units within the Pierce Junction Field which are exempted from the spacing provisions of this chapter are listed in an exhibit marked "C," styled "Lambert Coordinates Describing Oil Drilling Units within the Producing Limits of the Pierce Junction Field," and the forty-acre drilling units within the Mykawa Field, which are exempt from the spacing provisions of this chapter, are listed in an exhibit marked "D," styled "Lambert Coordinates Describing Oil Drilling Units within the Producing Limits of the Mykawa Field," both of such exhibits being attached to Ordinance No. 59-1887, and of record in the city secretary's office, to which reference is here made for all purposes.

(Code 1968, § 30-8)

**Sec. 31-8. Same—Clinton Field.**

The well spacing provisions of this chapter shall not apply to the Clinton Field, the same being composed of the following listed and de-

scribed 640 acre blocks as set out and established in Exhibit "A" attached to Ordinance No. 61-109 and of record in the city secretary's office:

N1-E7, N1-E8, N1-E9, N1-E10, N1-E11  
 N2-E7, N2-E8, N2-E9, N2-E10, N2-E11  
 N3-E7, N3-E8, N3-E9, N3-E10, N3-E11  
 N4-E7, N4-E8, N4-E9, N4-E10, N4-E11  
 N5-E7, N5-E8, N5-E9, N5-E10, N5-E11

(Code 1968, § 30-9)

### Sec. 31-9. Same—South Houston Field.

The well spacing provisions of this chapter shall not apply to the South Houston Field, the same being composed of the area described as follows:

"BEGINNING at the southwest corner of forty-acre Drilling Unit 7 in Block S8-E8 as said drilling units and blocks are designated in section 4 of the City of Houston Ordinance No. 59-1887, dated December 22, 1959; said corner having coordinates of X = 3,189,600.00 feet and Y = 680,400.00 feet.

"THENCE North 2640.00 feet to the northeast corner of Drilling Unit 3 in Block S8-E8, said corner having coordinates of X = 3,189,600.00 feet and Y = 683,040.00 feet;

"THENCE West 1320.00 feet to the southwest corner of Drilling Unit 14 in Block S7-E8, said corner having coordinates of X = 3,188,280.00 feet and Y = 683,040.00 feet;

"THENCE North 5280.00 feet to the northwest corner of Drilling Unit 2 in Block S7-E8, said corner having coordinates of X = 3,188,280.00 feet and Y = 688,320.00 feet;

"THENCE East 1320.00 feet to the northeast corner of said Drilling Unit 2, Block S7-E8, said corner having coordinates of X = 3,189,600.00 feet and Y = 688,320.00 feet;

"THENCE North 1320.00 feet to the northwest corner of Drilling Unit 15 in Block S6-E8, said corner having coordinates of X = 3,189,600.00 feet and Y = 689,640.00 feet;

"THENCE East 2640.00 feet to the northeast corner of Drilling Unit 16 in Block S6-E8, said corner having coordinates of X = 3,192,240.00 feet and Y = 689,640.00 feet;

"THENCE South 2640.00 feet to the southeast corner of Drilling Unit 4 in Block S7-E8, said corner having coordinates of X = 3,192,240.00 feet and Y = 687,000.00 feet;

"THENCE South along the east line of Drilling Unit 8, Block S7-E8 to its intersection with the north city limit line of the City of South Houston;

"THENCE Westerly, along said north city limit line to the northwest corner of the City of South Houston;

"THENCE Southerly, along the west city limit line of the City of South Houston, to its intersection with the north line of forty-acre Drilling Unit 12 in Block S8-E8;

"THENCE West along the north lines of Drilling Units 12 and 11 in Block S8-E8 to the place of beginning.

All bearings, distances and coordinates are grid bearings, distances and coordinates based on the State Plane Coordinate System (Lambert) for the South Central Zone of Texas.

(Code 1968, § 30-10)

### Sec. 31-10. Same—Humble Field.

The well spacing provisions of this chapter shall not apply to the Humble Field, the same being composed of the following listed and described 640-acre blocks as set out and established by section 31-3, insofar as they lie within the corporate limits of the city:

N15-E6, N14-E7, N14-E8, N15-E9, N18-E10  
 N16-E6, N15-E7, N15-E8, N16-E9, N19-E10  
 N17-E6, N16-E7, N16-E8, N17-E9, N20-E10  
 N18-E6, N17-E7, N17-E8, N18-E9  
 N19-E6, N18-E7, N18-E8, N19-E9  
 N20-E6, N19-E7, N19-E8, N20-E9  
 N20-E7

(Code 1968, § 30-11)

### Sec. 31-11. Same—Webster and Olcott Fields.

The well spacing provisions of this chapter shall not apply to the Webster and Olcott Fields, which consist of the following described forty-acre oil drilling blocks or units:

S10-E10-1, S10-E10-2, S10-E10-3, S10-E10-4,  
 S10-E10-5, S10-E10-6, S10-E10-7, S10-

E10-8, S10-E10-9, S10-E10-10, S10-E10-11, S10-E10-12, S10-E10-13, S10-E10-14, S10-E10-15, S10-E10-16

S10-E11-1, S10-E11-2, S10-E11-3, S10-E11-4, S10-E11-5, S10-E11-6, S10-E11-7, S10-E11-8, S10-E11-9, S10-E11-10, S10-E11-11, S10-E11-12, S10-E11-13, S10-E11-14, S10-E11-15, S10-E11-16

S11-E10-1, S11-E10-2, S11-E10-3, S11-E10-4, S11-E10-5, S11-E10-6, S11-E10-7, S11-E10-8, S11-E10-9, S11-E10-10, S11-E10-11, S11-E10-12, S11-E10-13, S11-E10-14, S11-E10-15, S11-E10-16

S11-E11-1, S11-E11-2, S11-E11-3, S11-E11-4, S11-E11-5, S11-E11-6, S11-E11-7, S11-E11-8, S11-E11-9, S11-E11-10, S11-E11-11, S11-E11-12, S11-E11-13, S11-E11-14, S11-E11-15, S11-E11-16

S12-E10-1, S12-E10-2, S12-E10-3, S12-E10-4, S12-E10-5, S12-E10-6, S12-E10-7, S12-E10-8, S12-E10-9, S12-E10-11, S12-E10-11, S12-E10-12, S12-E10-13, S12-E10-14, S12-E10-15, S12-E10-16

S12-E11-1, S12-E11-2, S12-E11-3, S12-E11-4, S12-E11-5, S12-E11-6, S12-E11-7, S12-E11-8, S12-E11-9, S12-E11-10, S12-E11-11, S12-E11-12, S12-E11-13, S12-E11-14, S12-E11-15, S12-E11-16

S12-E12-11, S12-E12-15, S12-E12-16

S12-E13-9, S12-E13-10, S12-E13-11, S12-E13-13, S12-E13-14, S12-E13-15, S12-E13-16

S12-E14-13

S13-E11-1, S13-E11-2, S13-E11-3, S13-E11-4, S13-E11-5, S13-E11-6, S13-E11-7, S13-E11-8, S13-E11-9, S13-E11-10, S13-E11-11, S13-E11-12, S13-E11-14, S13-E11-15, S13-E11-16

S13-E12-1, S13-E12-2, S13-E12-3, S13-E12-4, S13-E12-5, S13-E12-6, S13-E12-7, S13-E12-8, S13-E12-9, S13-E12-10, S13-E12-11, S13-E12-12, S13-E12-13, S13-E12-14, S13-E12-15, S13-E12-16

S13-E13-1, S13-E13-2, S13-E13-3, S13-E13-4, S13-E13-5, S13-E13-6, S13-E13-7, S13-

E13-8, S13-E13-9, S13-E13-10, S13-E13-11, S13-E13-12, S13-E13-13, S13-E13-14, S13-E13-15, S13-E13-16

S13-E14-1, S13-E14-2, S13-E14-5, S13-E14-6, S13-E14-7, S13-E14-9, S13-E14-10, S13-E14-11, S13-E14-13, S13-E14-14, S13-E14-15

S14-E12-1, S14-E12-2, S14-E12-3, S14-E12-4, S14-E12-7, S14-E12-8, S14-E12-12

S14-E13-1, S14-E13-2, S14-E13-3, S14-E13-4, S14-E13-5, S14-E13-6, S14-E13-7, S14-E13-8, S14-E13-9, S14-E13-10, S14-E13-11, S14-E13-12, S14-E13-13, S14-E13-14, S14-E13-15, S14-E13-16

S14-E14-1, S14-E14-2, S14-E14-3, S14-E14-5, S14-E14-6, S14-E14-7, S14-E14-9, S14-E14-10, S14-E14-11, S14-E14-13, S14-E14-14, S14-E14-15

S15-E13-2, S15-E13-3, S15-E13-4, S15-E13-7, S15-E13-8, S15-E13-12

S15-E14-1, S15-E14-2, S15-E14-3, S15-E14-4, S15-E14-5, S15-E14-6, S15-E14-7, S15-E14-9

(Code 1968, § 30-11.1; Ord. No. 80-2297, § 1, 7-15-80; Ord. No. 97-115, § 1, 1-29-97; Ord. No. 03-1160, § 1, 11-25-03)

### Sec. 31-12. Same—West Clear Lake Field.

The well spacing provisions of this chapter shall not apply to the West Clear Lake Field, which consists of the following described forty-acre oil drilling blocks or units:

S9-E15-11, S9-E15-12, S9-E15-E14, S9-E15-15, S9-E15-16

S9-E16-9, S9-E16-10, S9-E16-13, S9-E16-14, S9-E16-15

S10-E15-2, S10-E15-3, S10-E15-4, S10-E15-6, S10-E15-7, S10-E15-8, S10-E15-10, S10-E15-11, S10-E15-12, S10-E15-14, S10-E15-15, S10-E15-16

S10-E16-1, S10-E16-2, S10-E16-3, S10-E16-4, S10-E16-5, S10-E16-6, S10-E16-7, S10-E16-8, S10-E16-9, S10-E16-10, S10-E16-11, S10-E16-12, S10-E16-13, S10-E16-14, S10-E16-15, S10-E16-16

S10-E17-5, S10-E17-9, S10-E17-13

S11-E15-2, S11-E15-3, S11-E15-4, S11-E15-6, S11-E15-7, S11-E15-8, S11-E15-10, S11-E15-11, S11-E15-12, S11-E15-15, S11-E15-16

S11-E16-1, S11-E16-2, S11-E16-3, S11-E16-4, S11-E16-5, S11-E16-6, S11-E16-7, S11-E16-8, S11-E16-9, S11-E16-10, S11-E16-11, S11-E16-12, S11-E16-13, S11-E16-14

S11-E17-1, S11-E17-5

S12-E15-4, S12-E15-8

S12-E16-1

(Code 1968, § 30-11.2; Ord. No. 80-2297, § 2, 7-15-80)

**Sec. 31-13. Effect of ineffectiveness of chapter as to part of regulated area.**

Should this chapter for any reason be ineffective as to any part of the regulated area, such ineffectiveness as to any such part or parts of the regulated area shall not affect the effectiveness of this chapter as to all the remainder of the regulated area.

(Code 1968, § 30-12)

**Sec. 31-14. Application to Addicks and Barker Reservoirs.**

The provisions of this chapter shall not apply to any federally-owned surface estate nor to any mineral interest underlying such federally-owned surface estate situated in the Addicks and Barker Reservoirs and condemned or purchased by the federal government in the Addicks and Barker Dams area of Harris County, Texas.

(Code 1968, § 30-13; Ord. No. 80-2862, § 1, 9-24-80; Ord. No. 81-971, § 1, 5-19-81)

**Secs. 31-15—31-22. Reserved.**

**ARTICLE II. PERMIT**

**Sec. 31-23. Required.**

(a) It shall be unlawful and an offense for any person, acting either for himself or as agent, employee, independent contractor, or servant of any other person, to commence to drill, or to

operate any oil or gas well within the regulated area of the city, or to work upon or assist in any way in the prosecution or operation of any such well, without a permit for the drilling and operation of such well having first been issued in accordance with the provisions of this article.

(b) In the event a well is completed in one or more oil zones and one or more gas zones through the one-well bore, a permit must be secured from the city for both an oil well and a gas well.

(c) In the event a well is drilled under an oil well drilling permit and the permittee for any reason wishes to complete the well as a gas well, he must first secure a gas well drilling permit.

(d) In the event a well is drilled under a gas well drilling permit and the permittee for any reason wishes to complete the well as an oil well, he must first secure an oil well drilling permit.  
(Code 1968, § 30-23)

**Sec. 31-24. Application generally; filing fee.**

(a) Any person desiring to drill, complete and operate a well for oil or gas within the regulated area of the city shall present an application in duplicate therefor to the building official which application shall be in writing, addressed to the mayor, be signed by the applicant or some person duly authorized to sign the same for the applicant, and shall state:

- (1) The date of the application.
- (2) The name and address of the applicant and, if the applicant is a corporation, the state of incorporation, and if applicant is a partnership, the names and addresses of the general partners.
- (3) The number of the drilling unit, the particular lot and block number or tract in the drilling unit on which the proposed well is to be located and the exact location of the proposed well by Lambert Coordinates.
- (4) The type of the well, whether oil or gas, and the proposed depth of the well.
- (5) The proposed complete casing program of the well.

- (6) The exact and correct number of square feet in the drilling unit over which the applicant has control of oil rights or gas rights.
- (b) Attached to the application for such permit shall be:
- (1) A plat prepared by a duly licensed surveyor showing the exact location of the proposed well with respect to the drilling unit boundaries and with respect to the boundaries of the lot or block on which the applicant has secured the rights from the owner to drill; designation of lots, blocks, or tracts owned or controlled by the applicant within the drilling unit, and the distances from the well location to all parks, streets, alleys or other public property, residences, commercial buildings and structures situated within 400 feet of the well location.
- (2) A copy of Railroad Commission Form 1.
- (c) Each application shall be accompanied by a cashier's check in the amount of \$250.00, made payable to the city, which shall be a filing fee.

(d) Each application shall be filed by the building official and kept as a part of the public records of the city.

(Code 1968, § 30-24; Ord. No. 90-635, § 67, 5-23-90)

### Sec. 31-25. Notice of application.

Notice of the filing of each application for a permit under this article shall be given by the applicant to each owner and lessee of lots, blocks and tracts within the drilling unit described in the application not owned by or under lease to the applicant as such ownership is disclosed by the deed records of the county in which the property is located. Such notice shall be in words and figures, as follows:

"Notice is hereby given that \_\_\_\_\_, acting under and pursuant to the terms and provisions of Chapter 31 of the Code of Ordinances, City of Houston, Texas, and any and all ordinances amendatory thereof, did on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_,

file with the Director of Public Works and Engineering of the City of Houston an application to drill, complete and operate a well for oil (or gas) upon Lot No. \_\_\_\_, Block No. \_\_\_\_ (or other appropriate description), City of Houston, Texas, as per map of record in Volume \_\_\_\_, Page \_\_\_\_, Plat Records of \_\_\_\_\_ County, Texas, in Drilling Unit No. \_\_\_\_ and located by Lambert Coordinates for the South Central Zone of Texas at the intersection of X = \_\_\_\_ and Y = \_\_\_\_."

At least ten days prior to the granting or refusal of an application, a copy of such notice shall be mailed by registered mail, at the expense of the applicant, addressed to the last known address of each owner and lessee of lots, blocks and tracts in the drilling unit not owned by or under lease to the applicant; and a copy of such notice shall be published, at the expense of the applicant, in every issue of a daily newspaper of the city for ten days prior to the date of the granting or refusal of such application. Proof of such publication shall be made by the printer or publisher of the newspaper by affidavit filed with the building official and shall be prima facie evidence of such publication. The applicant shall file with the building official an affidavit showing the name and last known address of each owner and lessee of lots, blocks and tracts to whom notice is required to be given and the names of each owner and lessee of lots, blocks and tracts to whom notice is required to be given and whose addresses are unknown to the applicant.

(Code 1968, § 30-25; Ord. No. 90-635, § 68, 5-23-90; Ord. No. 93-514, § 46, 5-5-93; Ord. No. 98-613, § 56, 8-5-98; Ord. No. 04-1015, § 18, 9-27-04)

### Sec. 31-26. Applicant's bond.

(a) If the issuance of a permit under this article is authorized, the same shall not be issued until the applicant files with the building official a bond, executed by the permittee as principal and by a good and sufficient corporate surety company licensed to do business in state as surety, and whose name appears on the current list published by the United States Treasury Department of accepted sureties on federal bonds, conditioned that the principal obligor will drill and

operate the well in strict accordance with the terms of this chapter, and that the principal will remedy any and all damages to streets, curbs, gutters, water lines, fire hydrants and other public property, occasioned in any manner by his drilling of the well. Such bond shall inure to the benefit of the city, shall be in a form to comply herewith, and shall be in the amount of \$50,000.00, and shall be approved by the city attorney. A permittee shall not be required to post additional bond if he has approved bonds on file with the city as required by this section totaling \$100,000.00.

(b) If the issuance of a permit to operate a well currently producing oil or gas after all drilling operations have ceased is authorized, the same shall not be issued until the applicant files with the building official a bond in the amount of \$15,000.00 in accordance with and for the purposes set out in subsection (a) above, except that said security may be in the form of a bond, letter of credit, or other acceptable security approved by the building official and the city attorney. A permittee shall not be required to post additional bond if he has approved bonds or other security on file with the city as required by this section totaling \$30,000.00. Any permittee who initially posted a \$50,000.00 bond, and whose well is in the producing stage and all drilling operations have ceased, may submit an application to the building official in accordance with section 31-24 to reduce the existing \$50,000.00 bond to comply with the lower security provisions of this subsection.

(c) Failure to keep the bond or alternative security in full force and effect, in accordance with the terms hereof, shall cause a revocation of the permit and shall be unlawful.

(Code 1968, § 30-26; Ord. No. 88-1506, § 1, 9-14-88; Ord. No. 90-635, § 67, 5-23-90)

#### **Sec. 31-27. Release from bond.**

(a) The director of public works and engineering or any assistant director of public works and engineering is hereby authorized upon request of the surety to release the surety on the bond required herein from future liability on such bond upon the conditions hereinafter provided and as further limited by subsection (b) hereof:

(1) If the permit has terminated and become inoperative as herein provided.

(2) If the permittee has filed with the director of public works and engineering notice of his intention to surrender his permit and abandon the premises covered thereby.

(3) After receipt of written notice from the surety advising of cancellation no sooner than 15 days after being mailed or delivered to the city.

(b) Such release of future liability shall in no manner impair any liability which may have accrued prior to the release of future liability herein authorized. Such release shall not be issued until the permittee shall have first complied with all requirements of this chapter relating to the abandoning and plugging of a well. The bond shall be retained by the city in its custody and will not be returned to the surety.

(Code 1968, § 30-26.1; Ord. No. 68-731, § 1, 5-7-68; Ord. No. 90-635, § 69, 5-23-90; Ord. No. 93-514, § 47, 5-5-93; Ord. No. 98-613, § 57, 8-5-98; Ord. No. 04-1015, § 19, 9-27-04)

#### **Sec. 31-28. Applicant's liability insurance.**

(a) No permit shall be issued under this article until the applicant has filed with the building official a memorandum copy or certificate of a policy of public liability and property damage insurance, issued by an insurance company authorized to do business in the state, to be approved by the city attorney, the amount of which policy for liability for bodily injury or death of one person shall not be less than \$100,000.00, and for any one accident, not less than \$300,000.00, and the amount of such policy for damage to property of others shall not be less than \$100,000.00. The terms and conditions of such policy covering such operations are to be such as to insure persons against loss by liability imposed by law by reason of any accidental personal injury or death to any person other than the insured or his employees, or by reason of any such loss or damage to property of any person other than the insured or his employees. Each policy of insurance shall contain a provision obligating the insurer to give the city council written notice of cancellation not less than 15 days prior to the date of cancellation. The applicant shall, upon request of the building official, submit the original or a certified copy of any policy for inspection at any time.

(b) Irrespective of the requirements as to insurance to be carried, the insolvency, bankruptcy or failure of any insurance company carrying insurance for any applicant or permittee hereunder, or the failure of any such company to pay claims accruing shall not be held to waive any of the provisions of this chapter. The applicant shall pay promptly all premiums for such insurance in strict accordance with his obligations to his carrier and maintain the above described coverage in full effect so long as the permit is valid and alive.

(c) Failure to keep such policy in full force and effect, in accordance with the terms hereof, shall be unlawful.

(Code 1968, § 30-27; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-29. Supplemental permit to deepen well.**

Once any well has either been completed as an oil or gas producer or abandoned as a dry hole, it shall be unlawful for any person to drill such well to a greater depth than that reached in the prior drilling operations without the permittee, as to such well, obtaining a supplemental permit after filing a supplemental application with the building official specifying:

- (1) The then condition of the well and the casing therein.
- (2) The depth to which it is proposed such well be deepened.
- (3) The proposed casing program to be used in connection with proposed deepening operations.

In any deeper drilling or any deeper completion, or any deeper production operations, the permittee shall comply with all other provisions contained in this chapter and applicable to the drilling, completion and operation of a well or wells, but no additional filing fee shall be required.

Each supplemental application shall be kept as a part of the public records of the city.  
(Code 1968, § 30-28; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-30. Issuance or denial generally.**

If, after an application or supplemental application is filed pursuant to this article, it is found by the building official to comply in all respects with the terms of this chapter, and the drilling and operation or deepening and operation of a well is not prohibited by the terms of this chapter, the building official shall issue a permit for the drilling and operation or deepening and operation of the well applied for. The granting and issuance of a permit for a well on a drilling unit shall automatically operate as a rejection and denial of all other pending applications for a well or wells to be completed upon the drilling unit involved, or any portion or portions thereof.

In the event the building official should deny the applicant a permit to drill or deepen a well, an appeal to the city council may be made by such applicant by filing written notice of appeal with the city council. Such appeal shall be heard by the city council within thirty (30) days after the filing date.

(Code 1968, § 30-29; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-31. Conditions to issuance when applicant does not own or have lease or contract for entire drilling unit.**

(a) In the event an application for a permit for the drilling, completion and operation of a well, either for oil or gas, shall be made by any person not owning or holding leases of oil or gas rights, or drilling contracts from the owners of all lots, blocks or parcels of land included in or embraced within a drilling unit, a permit shall be issued to such applicant, his heirs, successors and assigns, only upon the following conditions, in addition to such other conditions as may be provided for in other sections of this chapter: The permittee shall be free to enter into such contracts and agreements with the owners of such other lots, blocks or tracts as he may be able to make. If agreements are not reached with all owners of lots, blocks and tracts within the drilling unit, then the owner or owners of any given lot or lots, block or blocks, tract or tracts shall have the right or option, by

notice to the permittee given in writing within 30 days after the issuance of a permit for a well on the drilling unit involved, either:

- (1) To treat his interest as a working interest and contribute toward the actual cost and expense of drilling, completing and operating the well with all necessary appurtenances currently each month in the proportion that the number of square feet in area owned by him in the drilling unit bears to the total number of square feet embraced in the unit, and thereupon receive the same proportion of the oil produced and saved from such well, or its value at the well, at the option of the permittee, and a like proportion of natural gas produced, saved and utilized or sold, or the value of same at the well, at the option of the permittee; or
- (2) To treat his interest as a royalty interest and receive, delivered free of cost in the pipeline to which the well may be connected, a share of all oil produced and saved from such well equal to one-eighth of the proportion of the whole quantity of oil and casinghead gas so produced and saved that the number of square feet in the area owned by him bears to the total number of square feet in such drilling unit, or at the election of the permittee, to receive such proportion of the value at the well of the oil so produced, and to receive a like proportion of the gas and casinghead gas produced, saved and utilized or sold, or at the election of the permittee, the market value at the well of such proportion of gas or casinghead gas produced and sold or used off the premises, or, for gas sold at the well, such proportion of the amount realized from such sale.

If any owner does not exercise the right and option above provided, and give notice to the permittee within the period above provided, the obligation shall then be upon the permittee, his heirs, successors and assigns, to make settlement with such owner on the terms provided in option (2) above, providing for the payment of a one-eighth royalty. If the owner of a lot, block, or tract shall exercise option (1) above and treat his inter-

est as a working interest, as therein provided, the permittee shall be entitled to reimburse himself for such owner's proportionate part of the costs out of such owner's proportionate part of the oil, gas and casinghead gas, or the value thereof, before making deliveries of products or settlement for the value thereof. If option (1) is exercised by the owner of any lot, block or tract, such owner shall, within the time provided for notice of his election above set forth, file with the building official a bond or other obligation executed by such owner as principal and by an authorized surety company as surety, in which such principal and surety agree, bind and obligate themselves to pay to the permittee, his heirs, successors and assigns, currently each month, that proportion of the actual and necessary costs and expenses involved in the drilling, completion and operation of such well that the number of square feet embraced within the lot, block or tract of such owner bears to the total number of square feet in such drilling unit, such bond to be approved by the city attorney and held by the building official for the benefit of the beneficiaries therein. Permits shall be issued in all such cases and shall be subject to the provisions of section 31-35 and upon the condition that the permittee, his heirs, successors and assigns, shall make settlement in accordance with the provisions hereof.

(b) The interests of persons other than the permittee who hold oil and gas leases or equivalent contracts, in any drilling unit, shall be treated as part of the total working interest of the drilling unit, and such other persons holding such interests shall each make the following election with the permittee within 30 days from the date of the issuance of a permit with respect to a drilling unit, either:

- (1) Agree in writing with the permittee to contribute their share of all costs and expenses, properly allocated to the well and drilling unit by the permittee in accordance with accepted accounting practice, currently each month in the proportion that the number of square feet in the area held by them or each of them in the drilling unit bears to the total number of square feet embraced in the unit, and within said thirty-day period, execute and

file with the building official a bond with an authorized surety company as surety in an amount representing that portion of the estimated maximum cost of the well that the area of land held in fee simple under lease or other contract by the principal bears to the whole area of the drilling unit, conditioned that the principal in the bond will pay to the permittee and his assigns such proportion of the cost of drilling and operating the well, from time to time, as required in the drilling and operation thereof, such bond to be approved by the city attorney and held by the building official for the benefit of all persons interested; and thereupon such persons so acting shall be entitled to participate in the total working interest under the unit; and such persons so acting shall have the right, upon reasonable notice given to the permittee, upon the furnishing of storage tanks or facilities for handling the same, and upon the payment of or securing the payment of their share of the royalty interests and any overriding royalty or oil payment interests thereon, to receive in kind their proportionate share of oil and gas produced and saved from the well in the drilling unit and allocated to the working interest of the well; or,

- (2) If such other persons, or any one or more of them, fail to elect under (1) above within such 30-day period, then he or they shall be deemed to have elected to agree that the permittee shall be entitled to reimburse himself currently each month from such other persons' proportionate share of the proceeds of sale or production in kind for twice the amount of such other persons' proportionate part of the costs and expenses as set out in option (1) above.

The permittee and such other persons, or any one or more of them, shall be able to alter the obligations as set out in this section by an agreement made by them in writing; provided such agreement is not repugnant to other rules and regulations set out in this chapter.

(Code 1968, § 30-30; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-32. Issuance in case of more than one application for same drilling unit.**

In case there are applications filed with the building official and pending at the same time, for permits to drill a well in any one drilling unit, by more than one applicant, that application shall be granted, if otherwise sufficient, which shall be made by the person holding the greater area of the land within the drilling unit by ownership in fee, or by a lease or other contract with the owner or owners, permitting the drilling thereon for oil or gas, provided, however, that this section shall not apply to the fields exempted from the well spacing provisions of article I of this chapter. (Code 1968, § 30-31; Ord. No. 80-2296, § 2, 7-15-80; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-33. Contents; signing; effect.**

Each permit issued under this article shall:

- (1) By reference have incorporated therein all provisions of this chapter with the same force and effect as if this chapter were copied verbatim in the permit.
- (2) Specify definitely the location of the well and the number of the drilling unit in which the well is to be located.
- (3) Specify that drilling shall begin within 90 days from the date of the permit or the permit shall be forfeited; provided, however, such forfeiture shall not affect the right of the applicant to apply for another permit.
- (4) Specify that such permit shall remain in full force and effect until the well is abandoned.

Such permit, in duplicate originals, shall be signed by the building official and, prior to delivery to the permittee, shall be signed by the permittee. One original of the permit duly executed, shall be delivered to the permittee and one original of the permit, duly executed, shall be retained and filed by the building official, and, when so filed, shall constitute the permittee's drilling and operating license and the contractual

obligations of the permittee to comply with the terms of such permit, of the required bond and of this chapter.

(Code 1968, § 30-32; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-34. Permit not required for remedial well work operations.**

Any person operating any well for oil or gas within the corporate limits of the city may perform any remedial well work operations, except drilling deeper, without a prior permit, provided the operator complies with all safety rules set forth in this chapter and no additional filing fees will be required for such work.

(Code 1968, § 30-33)

**Sec. 31-35. Article does not authorize trespass or affect owner's right of contract.**

Neither this article nor any permit issued hereunder shall be interpreted to grant any right or license to the permittee to enter upon, use or occupy in any respect for the drilling or operation of any well on any surface land except by the written contract of the surface owner, unless the permittee obtained such right in an oil and gas lease, or other contract; nor shall it limit or prevent the free right of the owner to contract for the amount of damages, rights or privileges with respect to his own land and property.

(Code 1968, § 30-34)

**Sec. 31-36. Exemptions from certain requirements.**

Any applicant for an oil or gas well permit in a field as described in sections 31-7, 31-8, 31-9, 31-10, 31-11 or 31-12 of this Code, or any other producing oil or gas field hereafter exempted from the well spacing provisions of Article I of this chapter, shall hereafter also be exempt from the provisions of sections 31-25 and 31-31 of this Code; provided, however, that any remaining portion of a city-designated drilling block or unit, not included in a producing oil or gas field exempt from said well spacing provisions and from sec-

tions 31-25 and 31-31, shall have the same rights as if no portion of said block or unit fell within such exempt field.

(Code 1968, § 30-35; Ord. No. 80-2296, § 1, 7-15-80)

**Secs. 31-37—31-44. Reserved.**

**ARTICLE III. DRILLING AND OPERATING RULES**

**Sec. 31-45. Compliance with article.**

All persons engaged in the drilling and operation of oil and/or gas wells within the corporate limits of the city shall comply with the rules and regulations prescribed by this article.

(Code 1968, § 30-45)

**Sec. 31-46. Installation of pipelines on, under, etc., public property.**

In order to enable the holder of each permit to move oil, gas, water or other products to or from each drilling unit within the city limits, the holder of each permit issued under this chapter for the drilling and operation of a well for oil or gas in the city shall apply to the city council for an easement on, over, under, along or across the city streets, sidewalks, alleys and other city property for the purpose of constructing, laying, maintaining, operating, repairing, replacing and removing pipelines so long as production or operations may be continued under any permit issued pursuant to this chapter; provided, however, such permittee shall:

- (1) Not interfere with or damage existing water, sewer or gas lines or the facilities of public utilities located on, under or across the course of such rights-of-way.
- (2) Furnish to the director of public works and engineering of the city a plat showing the location of such pipelines.
- (3) Construct such lines or cause same to be constructed out of new or reconditioned pipe in accordance with provisions of article VIII of chapter 40 of this Code, and properly cased and vented if under a street.

- (4) Grade, level and restore such property to the same surface condition, as nearly as practicable, as existed when operations for the drilling of the well were first commenced.

(Code 1968, § 30-46; Ord. No. 90-635, § 70, 5-23-90; Ord. No. 93-514, § 48, 5-5-93; Ord. No. 98-613, § 58, 8-5-98; Ord. No. 04-1015, § 20, 9-27-04)

**Cross reference**—Pipelines along, under or across streets, etc., § 40-228 et seq.

#### **Sec. 31-47. Reserved.**

**Editor's note**—Ord. No. 04-498, § 7, adopted May 26, 2004, repealed § 31-47 in its entirety. Formerly said section pertained to obstructing streets or alleys and derived from Code 1968, § 30-47.

#### **Sec. 31-48. Letters relative to fresh water sands required prior to drilling.**

Before drilling and setting casing in any well for oil or gas within the corporate limits of the city, the permittee must contact the director of public works and engineering of the city and the state board of water engineers and obtain letters stating where the fresh water sands are to be found in the area or field in which the well is to be drilled. A copy of the state board of water engineers' letter must be filed with the utility official and the permittee must set sufficient surface casing as required. Failure to file a copy of the state board of water engineers' letter shall be unlawful and shall be punishable as such.

(Code 1968, § 30-48; Ord. No. 90-635, § 71, 5-23-90; Ord. No. 93-514, § 49, 5-5-93; Ord. No. 98-613, § 59, 8-5-98; Ord. No. 04-1015, § 21, 9-27-04)

#### **Sec. 31-49. Permitted hours for delivery or removal of material, equipment, etc.**

Material, equipment, tools or pipe used for either drilling or producing operations at the well shall not be delivered to or removed from the well site except between the hours of 7:00 a.m. and 7:00 p.m. of any day, except in case of emergency. (Code 1968, § 30-49)

#### **Sec. 31-50. Derrick and rig.**

It shall be unlawful for any person to use or operate, in connection with the drilling or re-

working of any well within the city limits, any wooden derrick or steam powered rig, or to permit any drilling rig or derrick to remain on the premises or drilling site for a period longer than 60 days after completion or abandonment of the well. All engines shall be equipped with effective mufflers.

(Code 1968, § 30-50)

#### **Sec. 31-51. Drilling fluid.**

No well shall be drilled or re-worked in the city without the bore hole at all times being filled with drilling fluid of such weight and viscosity as a reasonably prudent operator would use to keep the well under control at all times.

(Code 1968, § 30-51)

#### **Sec. 31-52. Swabbing operations and drill stem tests.**

It shall be unlawful for any person, in connection with the drilling or re-working operations of any well within the city, to conduct any swabbing operations or to take and to complete any drill stem test except during daylight hours. Drill stem tests may be conducted only if the well effluent during the test is produced through an adequate oil and gas separator to storage tanks, and the effluent remaining in the drill pipe at the time the tool is closed is flushed to the surface by circulating drilling fluid down the annulus and up the drill pipe.

(Code 1968, § 30-52)

#### **Sec. 31-53. Casing.**

(a) The operator of any well in any field or area within the city, shall be required to set and cement a sufficient amount of surface casing to properly protect all fresh water sands as specified by the state board of water engineers and the director of the department of public works and engineering for the particular area or field. The surface casing shall be of new or reconditioned casing and shall be set and cemented in accordance with the rules, regulations and orders of the state railroad commission for the field or area in which the well is to be drilled. Cementing shall be by the pump and plug method and sufficient cement shall be used to fill the calculated annular

space back of the casing to the surface of the ground and the cement shall be allowed to stand for a period of 12 hours before drilling plug.

(b) In lieu of setting the full amount of surface casing required to protect fresh water sands, the permittee may use the multi-stage cementing process. In using the multi-stage cementing process, sufficient cement shall be used in the stage cement job that is equivalent to the volume of the annulus from the cementing tool to the surface of the ground. Should the cement not reach the surface of the ground, a temperature survey must be conducted and if the survey shows that the top of the cement is less than one-third of the distance from the shoe of the surface casing to the surface, then corrective measures must be taken. Any permittee using the multi-stage process must file with the utility official a copy of the state railroad commission letter granting such permit and an affidavit from the company performing the cementing. Failure to file either of these shall be unlawful and shall be punishable as such.

(c) In any well drilled in any field or area within the city, the producing string of casing shall be of new or reconditioned pipe which has been tested and withstood the maximum anticipated pressures to be encountered. Cementing shall be by the pump and plug method and sufficient cement shall be used to fill the calculated annular space back of the casing to a point at least 600 feet above the shoe or the highest productive zone, whichever is applicable, and the cement shall be allowed to stand for a period of 12 hours before drilling plug. After cementing, the casing shall be tested at a pressure in pounds per square inch calculated by multiplying the length of the producing string by two-tenths, being the maximum test pressure required. If at the end of 30 minutes the pressure shows a drop of ten percent or more of the above required test pressure, the casing shall be condemned. After corrective operation, the casing shall again be tested in the same manner.

(Code 1968, § 30-53; Ord. No. 90-635, § 72, 5-23-90; Ord. No. 93-514, § 50, 5-5-93; Ord. No. 98-613, § 60, 8-5-98; Ord. No. 04-1015, § 22, 9-27-04)

**Sec. 31-54. Blowout preventers.**

Two dual controlled, fluid operated blowout preventers with working pressures equal to the

maximum anticipated wellhead pressures shall be used for all drilling or completion operations involving the use of drill pipe or tubing after the surface casing has been set. The mechanical operation of the preventers shall be checked every 24 hours and shall be tested with pump pressure with enough frequency to insure good working order at all times.

(Code 1968, § 30-54)

**Sec. 31-55. Christmas tree fittings and well-head connections.**

All completed wells within the city shall be equipped with Christmas tree fittings and well-head connections, with a rated working pressure equal to or greater than the surface shut-in pressure of the well. All wellhead connections shall be assembled and tested prior to installation by a fluid pressure which shall be equal to the test pressure of the fitting employed.

(Code 1968, § 30-55)

**Sec. 31-56. Flaring and burning of escaping gas.**

No person engaged in drilling or operating any well shall permit gas to escape or be vented into the air unless such gas is flared and burned. All gas flared or burned from a torch, pipe or other burning device within the city must be done in such manner so as not to constitute a fire hazard to any property, and the location of the torch, pipe or other burning device and the construction, maintenance and operation thereof shall at all times be in full compliance with such regulations as may from time to time be issued by the fire marshal of the city.

(Code 1968, § 30-56)

**Sec. 31-57. Disposal of salt water and other impurities.**

Any person drilling or operating a well for oil or gas shall make adequate provisions for the disposal of salt water or other impurities which may be produced along with the oil or gas in such a manner as not to contaminate the water supply of the city or destroy vegetation.

(Code 1968, § 30-57)

**Sec. 31-58. Escape of waste matter onto adjoining property prohibited.**

It shall be unlawful for any person to permit to escape any mud, water, oil, slush or other waste matter related to the drilling or operating of any oil or gas well into any adjoining lots upon which the permittee does not have leases or other contractual rights to use the surface, or upon leases not owned by the permittee, or into the alleys, streets, gutters or sewers of the city.  
(Code 1968, § 30-58)

**Sec. 31-59. Slush tanks for mud or water.**

Only portable steel slush tanks for mud or water shall be permitted in connection with the drilling and re-working operations of any well.  
(Code 1968, § 30-59)

**Sec. 31-60. Crude oil storage tanks; separators; etc.**

It shall be unlawful for any person to use, construct or operate in connection with any producing well within the city limits any crude oil storage tanks except to the extent of two steel tanks for oil storage, not exceeding 500-barrel capacity each, and so constructed and maintained as to be vapor tight and each surrounded with an earthen fire wall at such distance from the tanks as will, under any circumstances, hold and retain at least one and one-half times the maximum capacity of such tank. A permittee may use, construct and operate a steel conventional separator, and such other steel tanks and appurtenances as are necessary for treating oil with each of such facilities to be so constructed and maintained as to be vapor tight. Each oil and gas separator shall be equipped with both regulation pressure relief safety valve and a bursting head.  
(Code 1968, § 30-60)

**Sec. 31-61. Equipment for secondary recovery, pressure maintenance or automatic lease operations.**

Any person may install equipment for the purpose of secondary recovery or pressure maintenance operations or for automatic lease opera-

tions provided such person complies with all safety requirements of this chapter and of the state railroad commission.  
(Code 1968, § 30-61)

**Sec. 31-62. Fired vessel or open flame prohibited near well or storage tank.**

It shall be unlawful for any person within the corporate limits of the city to install any fired vessel or open flame nearer than 150 feet to any well or storage tank.  
(Code 1968, § 30-62)

**Sec. 31-63. Fencing.**

All wellheads, tank batteries, pumping units and equipment appurtenant thereto within the city, which are located within a densely populated area or nearer than 100 feet to a public street shall be adequately protected by a fence so constructed that it will prevent easy entry. Any wellhead, tank battery, pumping units or equipment appurtenant thereto which is located on any lease, tract or farm, which is fenced in its entirety, will require no additional protection other than that commonly used by prudent operators. Fences to prevent easy entry shall be approved by the building official.  
(Code 1968, § 30-63; Ord. No. 90-635, § 67, 5-23-90)

**Sec. 31-64. Maintenance of premises.**

The premises shall be kept in a clean and sanitary condition, free from rubbish of every character, at all times during the drilling operations and as long thereafter as oil and/or gas is being produced therefrom. All of the permittee's premises shall be kept clear of high grass, weeds and combustible trash or any other rubbish or debris that might constitute a fire hazard within a radius of 100 feet around any oil tank or tanks, or producing wells, or to the limits of the premises, whichever is the lesser.  
(Code 1968, § 30-64)

**Sec. 31-65. Prime movers.**

No prime movers shall be permitted within the corporate limits of the city for the purpose of pumping wells, except electric motors.  
(Code 1968, § 30-65)

**Sec. 31-66. No smoking signs.**

Printed signs reading "DANGER, NO SMOKING ALLOWED" or similar words shall be posted in conspicuous places on each well, storage tank or battery of tanks, within the corporate limits of the city.

(Code 1968, § 30-66)

or convenience of persons or property, shall also be a violation of this article and shall be punishable as such.

(Code 1968, § 30-69)

**Sec. 31-67. Abandonment generally.**

Whenever any well is abandoned within the city limits it shall be the obligation of the permittee to plug such well in accordance with the rules and regulations of the state railroad commission and to take any and all additional provisions or precautionary measures prescribed by the state or the state railroad commission in connection with abandonment and plugging of the well. It shall be the further obligation of the permittee or the operator of the well to cut the surface casing off at least six feet below the surface of the ground and to place at least a 25 foot cement plug in the top of the casing and to weld the top of the casing completely shut. The resulting hole in the ground must be completely filled to the surface of the ground and duly tamped.

(Code 1968, § 30-67)

**Sec. 31-68. Removal of mud and similar materials upon completion or abandonment.**

Within 15 days after the completion or abandonment of any oil or gas well, the mud and other similar matter and materials used in connection with the drilling and operations thereon shall be removed from the premises.

(Code 1968, § 30-68)

**Sec. 31-69. Violation of state law or rules, regulations, etc., of state or federal regulatory body.**

Any violation of the law of the state or any rules, regulations or requirements of any state or federal regulatory body having jurisdiction in reference to drilling, completing, equipping, operating, producing, maintaining or abandoning an oil or gas well or related appurtenances, equipment or facilities, or in reference to fire walls, fire protection, blow-out protection, safety protection